

Attorney Docket No.: 0160105
Application Serial No.: 10/600,930

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REMARKS

In the *Final* Office Action of December 21, 2007, the Examiner has rejected claims 1, 2, 4-7, 9-12, 14 and 15. Reconsideration and allowance of outstanding claims 1, 2, 4-7, 9-12, 14 and 15 in view of the following remarks are requested.

A. Rejection of Claims 1, 2, 4-7, 9-12, 14 and 15

The Examiner has rejected claims 1, 6 and 11, under 35 USC § 103(a), as being unpatentable over U.S. Publication Number 2003/0128696 to Wengrovitz ("Wengrovitz") in view of Sengodan, et. al. (USPN 6,918,034) ("Sengodan"). For the reasons stated below, applicant respectfully disagrees.

In response to applicant's remarks in the previous response to Office Action, the Examiner states that Sengodan discloses the following elements of claim 1 "a packet block manager configured to divide said encoded voice packet into a plurality of first voice blocks each having said block size, and provide said plurality of first voice blocks to said encryption unit, said packet block manager further configured to create a remainder voice block having said block size and including remainder bytes of said encoded voice packet and additional bytes from said plurality of first voice blocks and provide said remainder voice block to said encryption unit," because Sengodan, at col. 4, lines 30-44, reads:

A system in accordance with the principles of the present invention includes assembling mini-packets into a payload wherein each mini-packet includes an associated mini-header for ensuring proper processing of each mini-packet and adding padding to mini-packets when the mini-packets are encrypted to insure each mini-packet is an integral multiple of a predetermined block size.

Other embodiments of a system in accordance with the principles of the invention may include alternative or optional additional aspects. One such aspect of the present invention is that padding for each mini-packet is determined according to $p = n - k \cdot \text{floor}((n-1)/k)$, where p is the amount of padding added to each mini-packet, n is the actual data size, and k is the block size.

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However, the Examiner's rejection still ignores several specific limitations of claim 1, and broadly interprets the above-recited portion of Sengodan to disclose certain elements of claim 1 of the present application, which Sengodan does not come close to disclosing, teaching or suggesting.

For example, claim 1 of the present application specifically recites "a packet block manager configured to divide said encoded voice packet into a plurality of first voice blocks each having said block size." In other words, if the encoded voice packet is 100-byte long, and the block size is 16, each of the first voice blocks will received 16 bytes and there will be 6 such first voice blocks, i.e. 96 bytes of the encoded voice packet will be divided between 6 first voice blocks. In contrast, even assuming that Sengodan divides a larger packet to mini-packets (which is not the case), Sengodan clearly teaches that none of the mini-packets is filled to block size with data from the larger packet, as recited in claim 1 (divide said encoded voice packet into a plurality of first voice blocks each having said block size.) To this end, the Examiner's attention is directed to col. 8, lines 2-21, of Sengodan, which reads:

invention. First, a decision is made as to whether the mini-packet is encrypted 410. If the mini-packet is encrypted 420, padding is added. If the input (actual data) is of size "n" and the block size is "k", then the amount of padding "p" is given by:

$$p = k - (n \% k)$$

It is seen that the number of padding bytes "p" varies from one to k. FIG. 5 illustrates a padded mini-packet 500 according to the present invention. In FIG. 5, the mini-packet 510 includes a data block 512. Padding of p-1 522 is added. Even for the case where the mini-packet size equals an integral multiple of the block size, k, padding equaling one block is added. In any case, the last padding byte 524 indicates the number of padding bytes. The p-1 padding bytes 522 could be arbitrarily chosen. The endpoints of the security association are aware of the encryption mechanism and parameters. The recipient after decrypting the mini-packet looks at the last byte 524 to determine the number of padding bytes 522 used.

As stated above, "It is seen that the number of padding bytes "p" varies from one to k."

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Therefore, Sengodan always pad the mini-pockets (one to k), and dos not disclose or teach that mini-packets are filled to block size with data from the larger packet, as recited in claim 1 (divide said encoded voice packet into a plurality of first voice blocks each having said block size.)

Even more importantly, Sengodan states that “padding bytes” could be arbitrarily chosen (see col. 8, lines 16-17) (“The p-1 padding byte 522 could be arbitrarily chosen”), and it does not disclose, teach or suggest “remainder voice block having said block size and including remainder bytes of said encoded voice packet and additional bytes from said plurality of first voice blocks.” This is a significant distinction as Sengodan fails to disclose, teach or suggest that “additional bytes” are chosen “from said plurality of first voice blocks.” In fact, Sengodan teaches away from the invention of claim 1 by stating that the additional bytes could be arbitrarily chosen and by totally ignoring the significance of the above limitations of claim 1, which requires “additional bytes” to be chosen “from said plurality of first voice blocks.”

It is respectfully submitted that the Examiner’s response to applicant’s remarks in the previous Office Action misplaces the focus of applicant’s arguments to the effect that additional bytes are chosen “from said plurality of first voice blocks.” Rather, the Examiner has responded that “padding bytes” in Sengodan are considered to be “additional bytes.” However, applicant respectfully submits that there is no disclosure, teaching or suggestion in Sengodan that the padding bytes are chosen “from said plurality of first voice blocks.” In other words, Sengodan does not disclose that “padding bytes” are obtained from data in other mini-packets. In fact, Sengodan teaches away by stating that “The p-1 padding byte 522 could be arbitrarily chosen,” see col. 8, lines 16-17. Applicant respectfully submits that claim 1 clearly recites “a remainder

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voice block having said block size and including remainder bytes of said encoded voice packet
and additional bytes from said plurality of first voice blocks."

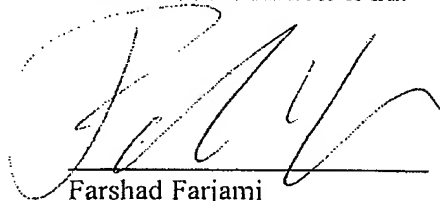
Applicant respectfully submits that at least for the reasons stated above, claim 1 of the present application is patentably distinguishable over Wengrovitz in view of Sengodan. Further, independent claims 6 and 11 include limitations similar to those of claim 1, and should be allowed for the same reasons.

Further, applicant respectfully submits that claims 2, 4, 5, 7, 9, 10, 12, 14 and 15 depend from claims 1, 6 and 11, respectively, and should be allowed at least for the same reasons stated above in conjunction with patentability of claim 1.

B. Conclusion

For all the foregoing reasons, an early Notice of Allowance directed to claims 1, 2, 4-7, 9-12, 14 and 15 is respectfully requested.

Respectfully Submitted,
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